

# Notice of Allowability

Application No.

09/928,795

Examiner

Barry Choobin

Applicant(s)

LYONS ET AL.

Art Unit

2625

## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 7/25/05.
2. ☒ The allowed claim(s) is/are 1-2, 7-11, 13, 15-16 (renumbered as 1-10).
3. ☒ The drawings filed on 29 November 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

**DANIEL MIRTAM**  
**PRIMARY EXAMINER**

## DETAILED ACTION

### *Drawings*

1. The drawings were received on November 29, 2004. These drawings are approved.

Currently claims 1-2, 7-11, 13 and 15-16 are pending.

### ✓ REASON FOR ALLOWANCE

2. The following is an examiner's statement of reasons for allowance: as to claim 1, the closest prior art of Larid et al alone or in combination with other prior art fails to teach or fairly suggest the method as claimed in claim 1, in particular the key distinction between the closest prior art of Larid et al and the instant claimed invention is that Larid et al does not rely upon spatially multiplexing video data such that all of the video frames which make up the multiple scenes are spatially distributed in a single composite video stream as required by claim 1.

As to claim 8, the closest prior art of Larid et al alone or in combination with other prior art fails to teach or fairly suggest the method as claimed in claim 8, in particular the key distinction between the closest prior art of Larid et al and the instant claimed invention is that Larid et al does not rely upon non-selectively spatially multiplexing multiple video data sets in order to produce a spatially multiplex moving image as required by claim 8.

As to claim 15, the closest prior art of Larid et al alone or in combination with other prior art fails to teach or fairly suggest the device as claimed in claim 15, in particular the key distinction between the closest prior art of Larid et al and the instant

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claimed invention is that Larid et al does not rely upon selecting spatially distinct portion of the multiplexed video data respective to a particular video channel, and to perform computerized operation on the spatially distinct portion.

It is for all of the above identified features and in combination with all of the other elements in claims that claims 1-2, 7-11, 13 and 15-16 (which will be renumbered as 1-10) are allowable over the closest prior art of Larid et al.

Now claims 1-10 are allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### **CONTACT INFORMATION**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barry Choobin whose telephone number is 571-272-7447. The examiner can normally be reached on M-F 7:30 AM to 18:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bhavesh Mehta can be reached on 571-272-7453. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Barry Choobin  
8/15/05

✓   
**DANIEL MIRIAM**  
**PRIMARY EXAMINER**